



**OFFICE OF COMMUNITY DEVELOPMENT
TOWN OF BELMONT**

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Memorandum

To: Town Meeting Members
From: Belmont Planning Board
Date: April 6, 2017

RE: Planning Board's Report to the 2017 Annual Town Meeting

Pursuant to the requirements of Massachusetts General Laws, Chapter 40A, Section 5, the Planning Board hereby provides the following recommendations on the zoning amendments that will appear before the 2017 Annual Town Meeting. Sitting for the Board were Liz Allison, Chair; Barbara Fiacco, Vice Chair; Charles Clark; Joseph DeStefano; Karl Haglund; and Raffi Manjikian, associate member. A brief overview of the zoning amendments, the reasons for them and the Board's recommendation to the Town Meeting are provided below.

Article 5 Amend Sign Zoning By-Law

The Town spent considerable amounts of time and money rebuilding Belmont Center and the Trapelo Road/Belmont Street corridor to improve the streetscape and the pedestrian experience. As a result, the Board decided that the Sign Zoning By-Law, whose provisions have a significant impact on the Town's streetscape, needed to be amended in order to support the Town's investment. Additionally, the existing Sign Zoning By-Law does not limit the size of a sign on an awning, a loophole that the Board agreed needed to be closed. Furthermore, while conducting research into other comparable communities' by-laws, various provisions were identified as missing from the Town's By-Law and the Board felt they should be added. Finally, the Sign Zoning By-Law must be amended in order to comply with a 2015 Supreme Court decision that requires Sign By-Laws be content neutral.

As a result, the Planning Board proposes the following amendments to the Sign Zoning By-Law:

1. Standardize the size of Standing Signs across all commercial zoning districts;
2. Reduce the total size of Window Signs, including permanent and temporary signs;
3. Limit the size and placement of Sandwich Board Signs;
4. Reduce the number of days and how often a Temporary Sign can be displayed;

5. Tighten the Non-Conforming Signs provision to help bring existing signs into conformance with the amended By-Law;
6. Allow the Planning Board to waive the regulations if the proposed sign is consistent with the purposes of the By-Law;
7. Define Awning and Marquee Signs and limit their size;
8. Provide a comprehensive list of Prohibited Sign types;
9. Require proper maintenance of permanent signs; and
10. Allow Non-Commercial Signs in all zoning districts.

The Board held a public hearing on February 16, 2016 and continued it to March 7 and 21. At the conclusion of the public hearing, the Board deliberated on the zoning amendment and voted unanimously **to recommend favorable action by Town Meeting to adopt the amendments to the Sign Zoning By-Law.**

Article 6 Zoning Amendment Recreational Marijuana Establishment Temporary Moratorium

By vote at the State election on November 8, 2016, the voters of the Commonwealth approved a law regulating the control and production and distribution of recreational marijuana under a system of licenses and regulations. A Recreational Marijuana Establishment is not permitted under zoning in the Town and regulations promulgated by the State are expected to provide guidance to regulate marijuana sales and distribution. The regulation of marijuana sales raises novel and complex legal, planning, and public safety issues. The Town needs time to study and consider the complex issues, as well as to address the potential impacts of the State regulations on local zoning. The moratorium will allow the Town sufficient time to engage in a planning process to address the effects of Recreational Marijuana Establishments and to enact bylaws in a manner consistent with sound land use planning.

The Board held a public hearing on March 21. At the conclusion of the public hearing, the Board deliberated on the zoning amendment and voted unanimously **to recommend favorable action by Town Meeting to adopt a Recreational Marijuana Establishment Temporary Moratorium.**

If you have any questions regarding the zoning amendment, please do not hesitate to contact Jeffrey Wheeler, Senior Planner, at 617-993-2666 or at jwheeler@belmont-ma.gov.

Thank you.